IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No	:	**09/919,794**
Applicant	:	**Broker et al.**
Filed	:	**August 2, 2001**
Title	:	**Information Display System for an Appliance Incorporating Electronic Interface Screen**
TC/A.U.	:	**2173**
Examiner	:	**Hailu**
Docket No.	:	**BRO009-162**

APPLICANT'S APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Applicants of the above-identified U.S. patent application submit this Appeal Brief in support of an appeal from the June 17, 2008 final rejection of claims 1-20 in this application. The fee required under 37 C.F.R. § 1.117(f) accompanies this brief.

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B. Whether claims 1, 8 and 15 stand properly rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,708,787 to Nakano et al.

1) Claim 1
2) Claim 8
3) Claim 15

C. Whether claims 1, 8 and 15 stand properly rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,086,385 to Launey et al.

1) Claim 1
2) Claim 8
3) Claim 15

D. Whether claim 20 stands properly rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakano et al. in view of U.S. Patent No. 5,818,428 to Eisenbrandt et al.

1) Claim 20

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I. REAL PARTY IN INTEREST

The above-identified patent application was originally assigned to Maytag Corporation, with the assignment being recorded September 14, 2001 with the U.S. Patent and Trademark Office on Reel No. 012172, Frame No. 0715. Maytag is now owned by Whirlpool Corporation.

II. RELATED APPEALS AND INTERFERENCES

There does not exist any known related appeals or interferences that would directly affect or be directly affected by or have a bearing on the decision in this case.

III. STATUS OF CLAIMS

Presently, claims 1-20 stand finally rejected. The rejected claims are herewith appealed.

IV. STATUS OF AMENDMENTS

No amendments to the claims have been made following the final rejection mailed in the Office Action of June 17, 2008 (hereafter "the Office Action").

V. SUMMARY OF CLAIMED SUBJECT MATTER

Independent **claim 1** is directed to a method of conveying information on a display screen 10 of an appliance 1 including the steps of dividing the screen 10 into a plurality of selectable zones 15-20, displaying a first set of information (see Figure 2B) in one of the plurality of selectable zones 15-20, and causing said one of the plurality of selectable zones 15-20 to become enlarged (screen 300), while automatically presenting a second set of information with the first set of information (shown in 250 of Figure 2B), the second set of information (shown in 300 of Figure 2B) representing additional details

concerning the first set of information on the screen 10, wherein said one of the plurality of selectable zones 15-20, including both the first and second sets of information, substantially, entirely encompasses the screen 10. See Figure 2B and page 5, lines 1-25 and page 9, line 14 through page 10, line 1.

Claim 3 depends from claim 2 and further requires that the first set of information in the form of codes are diagnostic codes and the second set of information constitutes definitions of said diagnostic codes. See page 3, lines 12-16; page 8, line 10 through page 9, line 13 and Figures 2A and 2B.

Claim 5 depends from claim 1 and further that the plurality of selectable zones 15-20 are divided into substantially equally sized areas. See Figure 2B and page 5, lines 24-25.

Independent **claim 8** is directed to a method of conveying information in an appliance including the steps of displaying a first set of information (shown in 250 of Figure 2B) in one of a plurality of selectable zones 15-20 of the screen 10, and enlarging said one of the plurality of selectable zones 15-20, while automatically presenting a second set of information (shown in 300 in Figure 2B) with the first set of information, the second set of information representing additional details concerning the first set of information on the screen 10, wherein said one of the plurality of selectable zones 15-20, including both the first and second sets of information, substantially, entirely encompasses the screen 10. See Figure 2B and page 5, lines 1-25 and page 9, line 14 through page 10, line 1.

Claim 10 depends from claim 9 and further requires providing the additional details to define the first set of information in the form of codes. See the additional details in 300 of Figure 2B and page 8, line 22 through page 9, line 18.

Claim 12 depends from claim 8 and further requires that the plurality of selectable zones are divided into substantially equally sized areas. See Figure 2B and page 5, lines 24-25.

Independent **claim 15** is directed to an information display system for an appliance 1 including a display device including a screen 10 divided into a plurality of selectable display zones 15-20; means for displaying a first set of information (see information in zone 18 of Figure 2B) in one of the plurality of selectable display zones 15-20; and means for enlarging said one of the plurality of selectable display zones 15-20 to substantially, entirely encompass the screen 10 while automatically presenting a second set of information (shown in 300 of Figure 2B) with the first set of information, the second set of information representing additional details concerning the first set of information on the screen. See Figure 2B and page 5, lines 1-25 and page 9, line 14 through page 10, line 1.

Claim 17 depends from claim 16 and further requires providing the second set of information to define the codes of the first set of information. See the additional details in 300 of Figure 2B and page 8, line 22 through page 9, line 18.

Claim 18 depends from claim 15 and further requires that the plurality of selectable display zones are substantially equally sized. See Figure 2B and page 5, lines 24-25.

Claim 20 depends from claim 15 and further requires that the appliance 1 constitutes a laundry appliance. See page 5, lines 1-15.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A. Whether claims 1-19 stand properly rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,390,005 to Kimoto et al.

B. Whether claims 1, 8 and 15 stand properly rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,708,787 to Nakano et al.

C. Whether claims 1, 8 and 15 stand properly rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,086,385 to Launey et al.

D. Whether claim 20 stands properly rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakano et al. in view of U.S. Patent No. 5,818,428 to Eisenbrandt et al.

VII. ARGUMENTS

A. Whether claims 1-19 stand properly rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,390,005 to Kimoto et al.

1) Claims 1, 2, 6 and 7

In rejecting independent claim 1, the Examiner has failed to provide a reference that teaches each and every limitation of the claim as required.

As best illustrated in Figure 2B, claim 1 is directed to a method of conveying information on a display screen 10 of an appliance 1 including the steps of dividing the screen 10 into a plurality of selectable zones 15-20, displaying a first set of information (see, for example, error and help codes in zone 18) in one of the plurality of selectable zones 15-20, and causing said one of the plurality of selectable zones 15-20 to become enlarged (screen 300), while automatically presenting a second set of information with the first set of information (see the definitions for the error and help codes from zone 18

depicted in screen 300), the second set of information representing additional details concerning the first set of information on the screen 10, wherein said one of the plurality of selectable zones 15-20, including both the first and second sets of information, substantially, entirely encompasses the screen 10.

In rejecting claim 1, the Examiner relies on Kimoto et al., which is directed to an operation-panel-indicating method for a copying machine. On page 5 of the Office Action, the Examiner points to a main menu item (i.e., Lens Mode 21) and notes that, when it is selected, a submenu will encompass the entire display as depicted in Figure 3. However, Kimoto et al. does not cause one of the plurality of selectable zones to become enlarged while presenting a second set of information **with the first set of information.** The Applicant notes that the present invention is not merely claiming a submenu as set forth in Kimoto et al. Instead, the present invention allows a first set of information to become enlarged, while also being **joined** by a second set of information **representing additional details concerning the first set of information,** such that **both** sets of information substantially, entirely encompass the screen. In this way, if the user has experience interpreting the first set of information, e.g., diagnostic codes, then no further information on the data is required. However, if the user is not experienced in the interpretation of the first set of information, an additional selection can be made causing zone 18 to enlarge so as to substantially, entirely encompass the screen with both the first and second sets of information as represented by screen 300 in Figure 2B.

The Examiner appears to equate the "Diagnostics" option described in the application at issue as "a first set of information" even though it is not joined by a second set of information such that the first and second set of information are both on the screen. On page 3 of the Office Action, the Examiner states that the "first set of information are not[h]ing more than selectable item menus or available options that help a user to interact with the appliance..." The Examiner further states that "the 'help' main menu includes [a] 'diagnostic' sub-menu. Thus, interpreting help option menu to diagnostic sub-menu of Kimoto is appropriate." See page 4 of the Office Action. When the claims are read properly, the Examiners assumptions are clearly erroneous. Although the Applicant

acknowledges that terms from the specification should not be read into the claims, understanding of the claim language may be aided by explanations contained in the written description. See M.P.E.P. 2111.01. The Applicant's specification clearly describes a screen 100 displaying a selection of desired operation commands, including a "Diagnostics" option. "More importantly, in connection with explaining the present invention, screen 250 shows error and help codes accessible through the 'Diagnostics' selection." See page 8, lines 20-22. In other words, a user selects the "Diagnostics" option in order to access a first set of information. The first set of information is not the "Diagnostics" option. This first set of information (i.e., error and help codes), when selected, is enlarged and joined by a second set of information, which represent additional details concerning the first information (i.e., error and help code definitions). Therefore, the Examiner's interpretation of just the "Diagnostics" option as the "first set of information" is simply wrong.

Regardless of the Examiner's interpretation, the Applicant notes that the selection buttons on the key pad of the Kimoto et al. copy machine do not show "a first **set of information**" displayed in "one of a plurality of zones" as claimed. Instead, Kimoto et al. simply shows a screen providing operating **options** to a user and, upon selecting one of the available options, a subsequent selection screen is provided to present other distinct operating options to the user without displaying **both the first set of information and a second set of information** representing additional details concerning the first set of information. Thus, Kimoto et al. does not teach every limitation of the claim such that claim 1 is not anticipated.

2) **Claims 3 and 4**

The Examiner has failed to provide a combination of references that properly teach the method of claim 1 as argued above, let alone the method wherein the codes are diagnostic codes and the second set of information constitutes definitions of the diagnostic codes.

In rejecting claim 3, the Examiner equates the help(?) mark of Kimoto et al. with "diagnostic codes" and equates the lower level menu or sub-menu of Kimoto et al. with definitions of the diagnostic codes. This is an erroneous interpretation of the prior art. In making this argument, the Examiner points to Figure 17 of Kimoto et al., which shows a table of set conditions. More specifically, a check button 108 is provided outside a screen so that conditions may easily be confirmed when the conditions are set manually on the screen. When check button 108 is pressed, any screen indicated on that occasion can be changed to a screen showing a table of set conditions, and when OK button 209 is touched after confirmation, the screen returns to the previous setting screen. See column 14, lines 4-13. In other words, Kimoto et al. teaches a confirmation screen, not a screen showing diagnostic codes and diagnostic code definitions as required.

The Examiner also points to column 7, lines 2-6 which simply states that "When the help button is operated, there are displayed illustrations and messages which show how to use a copying machine (explanation on how to clear a jam, how to replenish toner, how to load copy sheets and various function(s))." The Applicant fails to see how this teaches diagnostic code definitions as required. The Examiner further points to column 15, lines 43-48, which states that "When it is confirmed that there is no error on a condition-pattern to be registered on a check screen in FIG. 20, OK button 209 is to be touched, while, when an error is detected in the conditions-set, CANCEL button 208 is to be touched so that a mode may be returned to a condition-setting mode." Again, the Applicant respectfully asserts that this statement in Kimoto et al. has nothing to do with diagnostic code definitions. Thus, Kimoto et al. does not teach every limitation of the claim such that claim 3 is not anticipated.

3) **Claim 5**

The Examiner has failed to provide a combination of references that properly teach the method of claim 1 as argued above, let alone the method wherein the plurality of selectable zones are divided into substantially equally sized areas, as required by claim 5.

Regarding this claim, the Examiner points to Figure 2 of Kimoto et al. and states that the top and bottom regions are exactly equal sized and the middle region is substantially similar. See page 7 of the Office Action. However, at best, Figure 2 of Kimoto et al. shows a screen having two separate rows of selectable zones or buttons (i.e., LENS MODE, DUPLEX MODE, 1.00, AES etc.) in addition to a "HELP" button. Therefore, the screen shown in Figure 2 is not divided into "a plurality of selectable zones" wherein the zones are "substantially equally sized areas", but instead simply teaches a number of buttons from which a user can select. Thus, Kimoto et al. does not teach every limitation of the claim such that claim 5 is not anticipated.

4) Claims 8, 9, 13 and 14

In rejecting independent claim 8, the Examiner has also failed to provide a reference that teaches each and every limitation of the claim as required.

Claim 8 is directed to a method of conveying the information in an appliance including the steps of displaying a first set of information (shown in 250 of Figure 2B) in one of a plurality of selectable zones 15-20 of the screen 10, and enlarging said one of the plurality of selectable zones 15-20, while automatically presenting a second set of information (shown at 300 in Figure 2B) with the first set of information, the second set of information representing additional details concerning the first set of information on the screen 10, wherein said one of the plurality of selectable zones 15-20, including both the first and second sets of information, substantially, entirely encompasses the screen 10. See Figure 2B and page 5, lines 1-25 and page 9, line 14 through page 10, line 1.

The Examiner rejected claim 8 for the same reasons as claim 1. More specifically, the Examiner points to a main menu item (i.e., Lens Mode 21) and notes that, when it is selected, a submenu will encompass the entire display as depicted in Figure 3. However, Kimoto et al. does not cause one of the plurality of selectable zones to become enlarged while presenting a second set of information **with the first set of information**. The Applicant again notes that the present invention is not merely claiming

a submenu as set forth in Kimoto et al. Instead, the present invention allows a first set of information to become enlarged, while also being joined by a second set of information **representing additional details concerning the first set of information**, such that both sets of information substantially, entirely encompass the screen. In this way, if the user has experience interpreting the first set of information, e.g., diagnostic codes, then no further information on the data is required. However, if the user is not experienced in the interpretation of the first set of information, an additional selection can be made causing zone 18 to enlarge so as to substantially, entirely encompass the screen as represented by screen 300 in Figure 2B.

As previously discussed with regards to claim 1, the Examiner appears to equate the "Diagnostics" option described in the Application at issue with "a first set of information" even though it is not joined by a second set of information such that the first and second set of information are both on the screen. On page 3 of the Office Action, the Examiner states that the "first set of information are not[h]ing more than selectable item menus or available options that help a user to interact with the appliance..." The Examiner further states that "the 'help' main menu includes [a] 'diagnostic' sub-menu. Thus, interpreting help option menu to diagnostic sub-menu of Kimoto is appropriate." See page 4 of the Office Action. When the claims are read properly, the Examiner's assumptions are clearly erroneous. Although the Applicant acknowledges that terms from the specification should not be read into the claims, understanding of the claim language may be aided by explanations contained in the written description. See M.P.E.P. 2111.01. As discussed above, the Applicant's specification clearly describes a screen 100 displaying a selection of desired operation commands, including a "Diagnostics" option. "More importantly, in connection with explaining the present invention, screen 250 shows error and help codes accessible through the 'Diagnostics' selection." See page 8, lines 20-22. In other words, a user selects the "Diagnostics" option in order to access a first set of information. The first set of information is not the "Diagnostics" option. This first set of information (i.e., error and help codes), when selected, is enlarged and joined by a second set of information, which represent additional details concerning the first information (i.e., error and help code definitions).

Therefore, the Examiner's interpretation of the "Diagnostics" option as the "first set of information" is simply wrong.

Regardless of the Examiner's interpretation, the Applicant notes that the selection buttons on the key pad of the Kimoto et al. copy machine do not show "a first **set of information**" displayed in "one of a plurality of zones" as claimed. Instead, Kimoto et al. simply shows a screen providing operating **options** to a user and, upon selecting one of the available options, a subsequent selection screen is provided to present other distinct operating options to the user without displaying **both the first set of information and a second set of information** representing additional details concerning the first set of information. Thus, Kimoto et al. does not teach every limitation of the claim such that claim 8 is not anticipated.

5) **Claims 10 and 11**

The Examiner has failed to provide a combination of references that properly teach the method of claim 8 as argued above, let alone the method including providing additional details to define the codes as required by claim 10.

The Examiner has rejected claim 10 for the same reasons as claim 3. More specifically, on page 7 of the Office Action, the Examiner equates the help(?) mark of Kimoto et al. with "diagnostic codes" and equates the lower level menu or sub-menu of Kimoto et al. with definitions of the diagnostic codes. This is an erroneous interpretation of the prior art. In making this argument, the examiner points to Figure 17 of Kimoto et al., which shows a table of set conditions. More specifically, a check button 108 is provided outside a screen so that conditions may easily be confirmed when the conditions are set manually on the screen. When check button 108 is pressed, any screen indicated on that occasion can be changed to a screen showing a table of set conditions, and when OK button 209 is touched after confirmation, the screen returns to the previous setting screen. See column 14, lines 4-13. In other words, Kimoto et al. teaches a confirmation screen, not a screen showing operational code definitions as required.

The Examiner also points to column 7, lines 2-6 which simply states that "When the help button is operated, there are displayed illustrations and messages which show how to use a copying machine (explanation on how to clear a jam, how to replenish toner, how to load copy sheets and various function(s))." The Applicant fails to see how this teaches operational code definitions as required. The Examiner further points to column 15, lines 43-48, which states that "When it is confirmed that there is no error on a condition-pattern to be registered on a check screen in FIG. 20, OK button 209 is to be touched, while, when an error is detected in the conditions-set, CANCEL button 208 is to be touched so that a mode may be returned to a condition-setting mode." Again, the Applicant respectfully asserts that this statement in Kimoto et al. has nothing to do with operational code definitions. Thus, Kimoto et al. does not teach every limitation of the claim such that claim 10 is not anticipated.

6) Claim 12

The Examiner has failed to provide a combination of references that properly teach the method of claim 8 as argued above, let alone the method wherein the plurality of selectable zones are divided into substantially equally sized areas, as required by claim 12.

Regarding this claim, in a manner directly corresponding to the rejection of claim 5, the Examiner points to Figure 2 of Kimoto et al. and states that the top and bottom regions are exactly equal sized and the middle region is substantially similar. See page 7 of the Office Action. However, at best Figure 2 of Kimoto et al. shows a screen having two separate rows of selectable zones or buttons (i.e., LENS MODE, DUPLEX MODE, 1.00, AES etc.) in addition to a "HELP" button. Therefore, the screen shown in Figure 2 is not divided into "a plurality of selectable zones" wherein the zones are "substantially equally sized areas", but instead simply teaches a number of buttons from which a user can select. Thus, Kimoto et al. does not teach every limitation of the claim such that claim 12 is not anticipated.

7) Claims 15 and 16

In rejecting independent claim 15, the Examiner has failed to provide a reference that teaches each and every limitation of the claim as required.

Claim 15 is directed to an information display system for an appliance 1 including a display device including a screen 10 divided into a plurality of selectable display zones 15-20; means for displaying a first set of information (see information in zone 18 of Figure 2B) in one of the plurality of selectable display zones 15-20; and means for enlarging said one of the plurality of selectable display zones 15-20 to substantially, entirely encompass the screen 10 while automatically presenting a second set of information (shown in 300 of Figure 2B) with the first set of information, the second set of information representing additional details concerning the first set of information on the screen. See Figure 2B and page 5, lines 1-25 and page 9, line 14 through page 10, line 1.

The Examiner rejected claim 15 for the same reasons as claims 1 and 8. More specifically, the Examiner points to a main menu item (i.e., Lens Mode 21) and notes that, when it is selected, a submenu will encompass the entire display as depicted in Figure 3. However, Kimoto et al. does not cause one of the plurality of selectable zones to become enlarged while presenting a second set of information **with the first set of information**. The Applicant notes that the present invention is not merely claiming a submenu as set forth in Kimoto et al. Instead, the present invention allows a first set of information to become enlarged, while also being **joined** by a second set of information **representing additional details concerning the first set of information**, such that **both** sets of information substantially, entirely encompass the screen. In this way, if the user has experience interpreting the first set of information, e.g., diagnostic codes, then no further information on the data is required. However, if the user is not experienced in the interpretation of the first set of information, an additional selection can be made causing zone 18 to enlarge so as to substantially, entirely encompass the screen with both the first and second sets of information as represented by screen 300 in Figure 2B.

As previously discussed with regards to claims 1 and 8, the Examiner appears to equate the "Diagnostics" option described in the application at issue with "a first set of information" even though it is not joined by a second set of information such that the first and second set of information are both on the screen. On page 3 of the Office Action, the Examiner states that the "first set of information are not[h]ing more than selectable item menus or available options that help a user to interact with the appliance..." The Examiner further states that "the 'help' main menu includes [a] 'diagnostic' sub-menu. Thus, interpreting help option menu to diagnostic sub-menu of Kimoto is appropriate." See page 4 of the Office Action. When the claims are read properly, the Examiner's assumptions are clearly erroneous. Although the Applicant acknowledges that terms from the specification should not be read into the claims, understanding of the claim language may be aided by explanations contained in the written description. See M.P.E.P. 2111.01. The Applicant's specification clearly describes a screen 100 displaying a selection of desired operation commands, including a "Diagnostics" option. "More importantly, in connection with explaining the present invention, screen 250 shows error and help codes accessible through the 'Diagnostics' selection." See page 8, lines 20-22. In other words, a user selects the "Diagnostics" option in order to access a first set of information. The first set of information is not the "Diagnostics" option. This first set of information (i.e., error and help codes), when selected, is enlarged and joined by a second set of information, which represent additional details concerning the first information (i.e., error and help code definitions). Therefore, the Examiner's interpretation of just the "Diagnostics" option as the "first set of information" is simply wrong.

Regardless of the Examiner's interpretation, the Applicant notes that the selection buttons on the key pad of the Kimoto et al. copy machine do not show "a first **set of information**" displayed in "one of a plurality of zones" as claimed. Instead, Kimoto et al. simply shows a screen providing operating **options** to a user and, upon selecting one of the available options, a subsequent selection screen is provided to present other distinct operating options to the user without displaying **both the first set of information and a second set of information** representing additional details concerning the first set of

information. Thus, Kimoto et al. does not teach every limitation of the claim such that claim 15 is not anticipated. It should also be recognized that claim 15 is in a means-plus-function format which requires that the claim limitation **must be interpreted** consistent with the written description **and** any proper application of prior art requires that the prior art performs the **identical function** specified in the claims. See MPEP §§2183 and 2184. These requirements simply have not been met.

8) **Claim 17**

The Examiner has failed to provide a combination of references that properly teach the limitations of means-plus-function claim 15 as argued above, let alone wherein the second set of information constitutes definitions of codes.

In rejecting claim 17, the Examiner equates the help(?) mark of Kimoto et al. with "diagnostic codes" and equates the lower level menu or sub-menu of Kimoto et al. with definitions of the diagnostic codes. This is an erroneous interpretation of the prior art. In making this argument, the Examiner points to Figure 17 of Kimoto et al., which shows a table of set conditions. More specifically, a check button 108 is provided outside a screen so that conditions may easily be confirmed when the conditions are set manually on the screen. When check button 108 is pressed, any screen indicated on that occasion can be changed to a screen showing a table of set conditions, and when OK button 209 is touched after confirmation, the screen returns to the previous setting screen. See column 14, lines 4-13. In other words, Kimoto et al. teaches a confirmation screen, not a screen showing diagnostic codes and diagnostic code definitions as required.

The Examiner also points to column 7, lines 2-6 which simply states that "When the help button is operated, there are displayed illustrations and messages which show how to use a copying machine (explanation on how to clear a jam, how to replenish toner, how to load copy sheets and various function(s))." The Applicant fails to see how this teaches code definitions as required. The Examiner further points to column 15, lines 43-48, which states that "When it is confirmed that there is no error on a condition-pattern to

be registered on a check screen in FIG. 20, OK button 209 is to be touched, while, when an error is detected in the conditions-set, CANCEL button 208 is to be touched so that a mode may be returned to a condition-setting mode." Again, the Applicant respectfully asserts that this statement in Kimoto et al. has nothing to do with code definitions. Thus, Kimoto et al. does not teach every limitation of the claim such that claim 3 is not anticipated.

9) Claim 18

The Examiner has failed to provide a combination of references that properly teach the limitations of means-plus-function claim 15 as argued above, let alone wherein the plurality of selectable zones are divided into substantially equally sized areas, as required by claim 18.

Regarding this claim, in a manner directly corresponding to the rejection of claims 5 and 12, the Examiner points to Figure 2 of Kimoto et al. and states that the top and bottom regions are exactly equal sized and the middle region is substantially similar. See page 7 of the Office Action. However, at best Figure 2 of Kimoto et al. shows a screen having two separate rows of selectable zones or buttons (i.e., LENS MODE, DUPLEX MODE, 1.00, AES etc.) in addition to a "HELP" button. Therefore, the screen shown in Figure 2 is not divided into "a plurality of selectable zones" wherein the zones are "substantially equally sized areas", but instead simply teaches a number of buttons from which a user can select. Thus, Kimoto et al. does not teach every limitation of the claim such that claim 18 is not anticipated.

B. Whether claims 1, 8 and 15 stand properly rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,708,787 to Nakano et al.

1) Claim 1

In rejecting independent claim 1, the Examiner has failed to provide a reference that teaches each and every limitation of the claim as required.

As best illustrated in Figure 2B, claim 1 is generally directed to a method of method of conveying information by displaying a first set of information (see, for example, error and help codes in zone 18) in one of a plurality of selectable zones 15-20, and causing said one of the plurality of selectable zones 15-20 to become enlarged (screen 300) while automatically presenting a second set of information with the first set of information (see the definitions for the error and help codes from zone 18 depicted in screen 300).

In rejecting claim 1, the Examiner relies on Nakano et al., which is directed to a menu display device for displaying the route taken by a user in reaching the data currently being displayed. On page 8 of the Office Action, the Examiner points to Figure 3 of Nakano et al. and states that selecting one of the items from the initial screen (a first set of information) causes a lower level sub menu (second set of information) to be displayed, "substantially encompassing the entire screen." To support this position, the Examiner points to Figure 3, stating that selecting Item Name B from Menu 0 will display the associated additional information or lower level sub menu 2 on the screen. However, Nakano et al. does not cause one of the plurality of selectable zones to become enlarged while presenting a second set of information **with the first set of information**. The Applicant notes that the present invention is not merely claiming a submenu as set forth in Nakano et al. Instead, the present invention allows a first set of information to become enlarged while being **joined** by a second set of information **representing additional details concerning the first set of information**, such that **both** sets of information substantially, entirely encompass the screen. In this way, if the user has

experience interpreting the first set of information, e.g., diagnostic codes, then no further information on the data is required. However, if the user is not experienced in the interpretation of the first set of information, an additional selection can be made causing zone 18 to enlarge so as to substantially, entirely encompass the screen as represented by screen 300 in Figure 2B. Thus, Nakano et al. does not teach every limitation of the claim such that claim 1 is not anticipated.

2) Claim 8

In rejecting independent claim 8, the Examiner has failed to provide a reference that teaches each and every limitation of the claim as required.

Similar to claim 1, claim 8 is generally directed to a method of conveying information in an appliance including the steps of displaying a first set of information (shown in 250 of Figure 2B) in one of a plurality of selectable zones 15-20 of the screen 10, and enlarging said one of the plurality of selectable zones 15-20 while automatically presenting a second set of information (shown in 300 in Figure 2B) with the first set of information.

The Examiner has rejected claim 8 for the same reason as claim 1 discussed above. More specifically, in rejecting claim 8, the Examiner points to Figure 3 of Nakano et al., stating that selecting Item Name B (first set of information) from Menu 0 will display the associated additional information or lower level sub menu 2 (second set of information) on the screen. However, Nakano et al. does not cause one of the plurality of selectable zones to become enlarged while presenting a second set of information **with the first set of information**. The Applicant notes that the present invention is not merely claiming a submenu as set forth in Nakano et al. Instead, the present invention allows a first set of information to become enlarged while being **joined** by a second set of information **representing additional details concerning the first set of information,** such that **both** sets of information substantially, entirely encompass the screen. Thus,

Nakano et al. does not teach every limitation of the claim such that claim 8 is not anticipated.

3) **Claim 15**

In rejecting independent claim 15, the Examiner has failed to provide a reference that teaches each and every limitation of the claim as required.

Similar to claims 1 and 8, claim 15 is generally directed an information display system for an appliance 1 including a screen 10 divided into a plurality of selectable display zones 15-20, means for displaying a first set of information (see information in zone 18 of Figure 2B) in one of the plurality of selectable display zones 15-20, and means for enlarging said one of the plurality of selectable display zones 15-20 to substantially, entirely encompass the screen 10 while automatically presenting a second set of information (shown in 300 of Figure 2B) with the first set of information.

The Examiner rejects claim 15 for the same reasons as claims 1 and 8 discussed above. More specifically, the Examiner points to Figure 3 of Nakano et al., stating that selecting Item Name B (first set of information) from Menu 0 will display the associated additional information or lower level sub menu 2 (second set of information) on the screen. Once again, Nakano et al. does not cause one of the plurality of selectable zones to become enlarged while presenting a second set of information **with the first set of information**. The Applicant notes that the present invention is not merely claiming a submenu as set forth in Nakano et al. Instead, the present invention allows a first set of information to become enlarged while being **joined** by a second set of information **representing additional details concerning the first set of information**, such that **both** sets of information substantially, entirely encompass the screen. Thus, Nakano et al. does not teach every limitation of the claim such that claim 15 is not anticipated. It should also be recognized that claim 15 is in a means-plus-function format which requires that the claim limitation **must be interpreted** consistent with the written description **and** any proper application of prior art requires that the prior art performs the **identical function**

specified in the claims. See MPEP §§2183 and 2184. These requirements simply have not been met.

C. Whether claims 1, 8 and 15 stand properly rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,086,385 to Launey et al.

1) Claim 1

In rejecting independent claim 1, the Examiner has failed to provide a reference that teaches each and every limitation of the claim as required.

As best illustrated in Figure 2B, claim 1 is generally directed to a method of method of conveying information by displaying a first set of information (see, for example, error and help codes in zone 18) in one of a plurality of selectable zones 15-20, and causing said one of the plurality of selectable zones 15-20 to become enlarged (screen 300) while automatically presenting a second set of information with the first set of information (see the definitions for the error and help codes from zone 18 depicted in screen 300).

In rejecting claim 1, the Examiner relies on Launey et al., which is directed to an expandable home automation system for supporting data communications between appliances and subsystems within a home. More specifically, on page 9 of the Office Action, the Examiner points to Figures 3A and 3B of Launey et al., stating that selecting one of the main menu items such as AUDIO/VIDEO causes the zone to become enlarged while presenting a second set of information (i.e., a plurality of sub-menus of the selected AUDIO/VDEO main menu item) with the first set of information. However, a sub-menu is not the same as a second set of information **which represents additional details of the first set of information**. In addition, no first set of information is **joined** with a second set of information in Launey et al. such that both of the first and second sets of information are presented on the enlarged, substantially entirely encompassed screen as claimed. With the present invention, if the user has experience interpreting the first set of

information, e.g., diagnostic codes, then no further information on the data is required. However, if the user is not experienced in the interpretation of the first set of information, an additional selection can be made causing zone 18 to enlarge so as to substantially, entirely encompass the screen as represented by screen 300 in Figure 2B. Thus, Launey et al. does not teach every limitation of the claim such that claim 1 is not anticipated.

2) Claim 8

In rejecting independent claim 8, the Examiner has failed to provide a reference that teaches each and every limitation of the claim as required.

Similar to claim 1, claim 8 is generally directed to a method of method of conveying information by displaying a first set of information (see for example, error and help codes in zone 18) in one of a plurality of selectable zones 15-20, and enlarging one of the plurality of selectable zones 15-20 while automatically presenting a second set of information with the first set of information (see the definitions for the error and help codes from zone 18 depicted in screen 300).

The Examiner has rejected claim 8 for the same reasons as claim 1 as discussed above. More specifically, in rejecting claim 8, the Examiner relies on Launey et al., which is directed to an expandable home automation system for supporting data communications between appliances and subsystems within a home. As in the rejection of claim 1, the Examiner points to Figures 3A and 3B of Launey et al., stating that selecting one of the main menu items such as AUDIO/VIDEO causes the zone to become enlarged while presenting a second set of information (i.e., a plurality of sub-menus of the selected AUDIO/VDEO main menu item) with the first set of information. See page 8 of the Office Action. However, a sub-menu is not the same as a second set of information **which represents additional details of the first set of information.** In addition, no first set of information is **joined** with a second set of information in Launey et al. such that both of the first and second sets of information are presented on the

enlarged, substantially entirely encompassed screen as claimed. Thus, Launey et al. does not teach every limitation of the claim such that claim 8 is not anticipated.

3) **Claim 15**

In rejecting independent claim 15, the Examiner has failed to provide a reference that teaches each and every limitation of the claim as required.

Similar to claims 1 and 8, claim 15 is generally directed an information display system for an appliance 1 including a screen 10 divided into a plurality of selectable display zones 15-20, means for displaying a first set of information (see information in zone 18 of Figure 2B) in one of the plurality of selectable display zones 15-20, and means for enlarging said one of the plurality of selectable display zones 15-20 to substantially, entirely encompass the screen 10 while automatically presenting a second set of information (shown in 300 of Figure 2B) with the first set of information.

The Examiner rejects claim 15 for the same reasons as claims 1 and 8. More specifically, the Examiner points to Figures 3A and 3B of Launey et al., stating that selecting one of the main menu items such as AUDIO/VIDEO causes the zone to become enlarged while presenting a second set of information (i.e., a plurality of sub-menus of the selected AUDIO/VDEO main menu item) with the first set of information. However, a sub-menu is not the same as a second set of information **which represents additional details of the first set of information**. In addition, no first set of information is **joined** with a second set of information in Launey et al. such that both of the first and second sets of information are presented on the enlarged, substantially entirely encompassed screen as claimed. Thus, Launey et al. does not teach every limitation of the claim such that claim 15 is not anticipated. It should also be recognized that claim 15 is in a means-plus-function format which requires that the claim limitation **must be interpreted** consistent with the written description **and** any proper application of prior art requires that the prior art performs the **identical function** specified in the claims. See MPEP §§2183 and 2184. These requirements simply have not been met.

D. Whether claim 20 stands properly rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakano et al. in view of U.S. Patent No. 5,818,428 to Eisenbrandt et al.

1) Claim 20

In rejecting independent claim 20, the Examiner has failed to provide a combination of references which properly teaches each and every limitation of the claim, has relied on a combination of non-analogous art, and has failed to clearly articulate the manner in which he envisions one of ordinary skill in the art combining the references.

In order to establish a prima facie case of obviousness, each and every limitation of the claims must be considered. See M.P.E.P. § 2143.03 citing *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). A statement simply indicating that modifications of the prior art to meet the claimed invention would have been "well within the ordinary skill of the art at the time the claimed invention was made" because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish a *prima facie* case of obviousness without some objective reason to combine the teachings of the references. See M.P.E.P. § 2143.01 citing *Ex parte Levengood*, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993). In other words, there must be an apparent reason for one of ordinary skill in the art to combine known elements in the fashion claimed by the patent at issue. This analysis should be made explicit. See *KSR International Co. v. Teleflex Inc.*, 127 U.S. 1727, 1732 (2007), citing *In re Kahn*, 441 F. 3d 977, 988 (CA Fed. 2006).

In general, claim 20 requires that a **laundry appliance** include a display system having a screen divided into a plurality of selectable zones, a means for displaying a first set of information in one of the zones, and a means for enlarging one of the zones to substantially, entirely encompass the screen while automatically presenting a second set of information representing additional details of the first set of information. In general, the present invention addresses the problem of providing an adequate amount of

information in a small appliance display window. As noted in previous sections, if a user has experience interpreting the first set of information, e.g., diagnostic codes for the laundry appliance, then no further information on the data is required. However, if the user is not experienced in the interpretation of the first set of information, an additional selection can be made causing zone 18 to enlarge so as to substantially, entirely encompass the screen as represented by screen 300 in Figure 2B, to display a second set of information further detailing the first set of information, such as diagnostic code definitions.

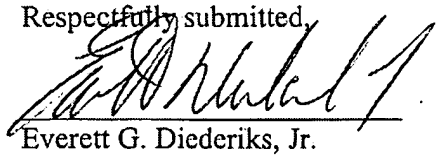
In rejecting claim 20, the Examiner relies on Nakano et al. as set forth above for independent claim 15. Therefore, it is initially submitted that claim 20 should be distinguished for the same reasons argued above. The Examiner then turns to Eisenbrandt et al., which is directed to an appliance control system 12 having a configurable interface, which may be utilized in conjunction with an appliance 10 such as a dryer, as depicted in Figure 1. In general, Eisenbrandt et al. allows a user to customize control system 12 to work with a variety of different appliances. This is completely different from the present invention and does not attempt to address the same problem as the present invention. In support of the combination the Examiner states that "Since both Nakano and Eisenbrandt discuss configurable display screen[s], user configurability of the interface permits a user to customize the control system interface to suit that user's particular needs (column 3, lines 16-26). Therefore, it would have been obvious to combine Nakano with Eisenbrandt to obtain the invention as specified in claim 20." See pages 11 and 12 of the Office Action. First, the Applicant respectfully asserts that Nakano et al. does not teach a configurable display as suggested by the Examiner. Additionally, the Examiner appears to imply that, because the display divide of Eisenbrandt is configurable, it would have been obvious to come up with the exact system of the present invention. This type of generalization is not sufficient to establish a prima facie case of obvious. Instead, the Examiner must provide an apparent reason for one of ordinary skill in the art to combine known elements in the exact fashion claimed by the patent claims at issue. Absent such reasoning, no prima facie case of obviousness has been shown.

E. Conclusion

The Examiner has failed to provide a single reference or combination of references that teaches the present invention, let alone address the same problem. Again, it should be kept in mind that the invention deals with displaying a first set of information on a portion of an appliance display screen and, if the person reading the screen can understand the coded or short version of the information, then the definitions need not be presented. However, if the first set of information is not understood, that portion of the display is enlarged to cover substantially the entire screen, with the first set of information still be displayed, along with a second set of information which provides additional details (preferably code definitions) of the first set of information. The Examiner has set forth three different §102 rejections based on pieces of prior art that do not have the same requirements. Likewise, with respect to the rejection of claim 20 under § 103, the Examiner fails to provide a combination of references that teach all limitations of the present invention and provides only a generally statement that one of ordinary skill in the art would have come up with the invention. The Applicant is now on its second appeal with this application, with still no prior art even addressing the same problems/solutions of the claimed invention.

For at least the reasons set forth above, the Appellant respectfully submits that the present invention is patentably defined over the prior art of record such that the Examiner's rejections should be reverse and the application passed to issue.

Respectfully submitted,



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VIII. CLAIMS APPENDIX

1. A method of conveying information on a display screen of an appliance comprising:

dividing the screen into a plurality of selectable zones;

displaying a first set of information in one of the plurality of selectable zones; and

causing said one of the plurality of selectable zones to become enlarged, while automatically presenting a second set of information with the first set of information, the second set of information representing additional details concerning the first set of information on the screen, wherein said one of the plurality of selectable zones, including both the first and second sets of information, substantially, entirely encompasses the screen.

2. The method according to claim 1, further comprising: presenting the first set of information in a form of codes concerning operation of the appliance.

3. The method according to claim 2, wherein the codes are diagnostic codes and the second set of information constitutes definitions of said diagnostic codes.

4. The method according to claim 3, wherein diagnostic codes are presented as the first set of information.

5. The method according to claim 1, wherein the plurality of selectable zones are divided into substantially equally sized areas.

6. The method according to claim 1, further comprising: maintaining the first and second sets of information in a hierarchical format.

7. The method according to claim 1, further comprising: physically touching the screen to enlarge said one of the plurality of selectable zones.

8. In an appliance including a display screen for conveying operational and control information, a method of conveying the information comprising:

displaying a first set of information in one of a plurality of selectable zones of the screen; and

enlarging said one of the plurality of selectable zones, while automatically presenting a second set of information with the first set of information, the second set of information representing additional details concerning the first set of information on the screen, wherein said one of the plurality of selectable zones, including both the first and second sets of information, substantially, entirely encompasses the screen.

9. The method according to claim 8, further comprising: presenting the first set of information in a form of codes concerning operation of the appliance.

10. The method according to claim 9, further comprising: providing the additional details to define the codes.

11. The method according to claim 10, wherein diagnostic codes are presented as the first set of information and the second set of information constitutes definitions of said diagnostic codes.

12. The method according to claim 8, wherein the plurality of selectable zones are divided into substantially equally sized areas.

13. The method according to claim 8, further comprising: maintaining the first and second sets of information in a hierarchical format.

14. The method according to claim 8, further comprising: physically touching the screen to enlarge said one of the plurality of selectable zones.

15. An information display system for an appliance comprising:

a display device including a screen divided into a plurality of selectable display zones;

means for displaying a first set of information in one of the plurality of selectable display zones; and

means for enlarging said one of the plurality of selectable display zones to substantially, entirely encompass the screen while automatically presenting a second set of information with the first set of information, the second set of information representing additional details concerning the first set of information on the screen.

16. The information display system according to claim 15, wherein the first set of information constitutes codes concerning operation of the appliance.

17. The information display system according to claim 16, wherein the second set of information defines the codes.

18. The information display system according to claim 15, wherein the plurality of selectable display zones are substantially, equally sized.

19. The information display system according to claim 15, wherein the screen constitutes a touch screen.

20. The information display system according to claim 15, wherein the appliance constitutes a laundry appliance.

IX. EVIDENCE APPENDIX

Not Applicable

X. RELATED PROCEEDING APPENDIX

Not Applicable